APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,188	09/13/2000	Hannes Eberle	53470.000020	8189

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EXAMINER
PHAN, JOSEPH T

ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 07/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _13 September 2000_ .

2a)☐ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-16_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-16_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _13 September 2000_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) do not apply to the examination of this application as the application

being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35

U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2.   **Claims 1-16 rejected under 35 U.S.C. 102(e) as being anticipated by Yost et**

al., Patent #6,154,766.

Regarding claims 1 and 9, Yost teaches a system and method for generating an

active voice page to deliver voice services to a user, the active voice page comprising at

least one markup language document(col.12 lines 3-5), the system and method

comprising:

an input module that receives data reports and a structure for a voice service;

a markup language converting module that converts the data reports and the structure

into a markup language *(14, 24 and 40c of Fig.1, col.8 lines 24-32, col.11 lines 45-*

col.12 line 5 ,col.14 lines 10-29, and col.15 lines 18-21; the server system in Yost

generates data reports from the data warehouse including the data structure to provide

the user with voice services through a user device); and,

a blending module for blending the converted data reports and the converted structure

into an active voice page *(col.8 lines 24-32, col.8 line 55-col.9 line 11, and col.11 lines*

65-col.12 line 5 and col.17 lines 20-23; the system in Yost can convert data reports and

structure from the data warehouse into an active voice page for the user to listen to via

a mobile telephone).

Regarding claims 2 and 10, Yost teaches the system and method of claims 1 and

9, wherein the markup language is extensible markup language (col.12 lines 3-5).

Regarding claims 3 and 11, Yost teaches the system and method of claims 1 and

9, wherein the markup language is TML *(col.12 lines 3-5; HTML is a version of TML*

used for web pages).

Regarding claims 4 and 12, Yost teaches the system and method of claims 1 and

9, wherein the data reports are online analytical processing system reports (col.4 lines

4-10).

Regarding claims 5 and 13, Yost teaches the system and method of claims 1 and

9, wherein the markup language converting module comprises a markup language

generator that receives the structure and generates a markup language document from

the structure *(14 Fig.1 and col.11 line 45-col.12 line 5; Yost uses the data structure from*

the data warehouse to generate a markup language to provide the audio output

necessary if requested by the user).

Regarding claims 6 and 14, Yost teaches the system and method of claims 1 and

9, wherein the markup language converting module comprises a markup language

transforming module that receives data reports from the input module and transforms

the data reports into markup language documents *(14 Fig.1 and col.11 line 45-col.12*

line 5; Yost uses the data reports from the data warehouse to generate a markup

language to provide the audio output chosen).

Regarding claims 7 and 15, Yost teaches the system and method of claims 6 and

14, wherein the markup language transforming module receives stylesheets from the

input module and transforms the data reports into markup language documents using

the stylesheets (col.9 lines 3-11).

Regarding claims 8 and 16, Yost teaches the system and method of claims 1 and

9 further comprising a module for generating a call request that receives the active

voice page and one or more style properties that are unique to a user and generates a

call request for the user (20 Fig.1 and col.17 lines 20-23).

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Uppaluru, Patent #5,915,001 teaches a system and method for providing and

using universally accessible voice and speech data files.

Rhie teaches a method and apparatus for telephonically accessing and

navigating the internet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T Phan whose telephone number is 703-305-3206. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

JTP
July 1, 2002

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600